| Fill in this information to identify the case: |                     |  |  |  |  |
|--|---------------------|--|--|--|--|
| United States Bankruptcy Court for the:        |                     |  |  |  |  |
| District of Octave number (If known):          | elaware  Chapter 11 |  |  |  |  |

☐ Check if this is an amended filing

# Official Form 201

# **Voluntary Petition for Non-Individuals Filing for Bankruptcy**

06/24

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

| 1. | Debtor's name  | Silvergate Liquid       | ation Corp | oration  |  |                  |                 |
|----|--|-------------------------|------------|----------|--|------------------|-----------------|
| 2. | All other names debtor used in the last 8 years Include any assumed names, | Silvergate Bank         |            |          |  |                  |                 |
|    | trade names, and doing business as names                                   |                         |            |          |  |                  |                 |
| 3. | Debtor's federal Employer<br>Identification Number (EIN)                   | 3 3 - 0 2 4             | 4 4 4      | 9_       |  |                  |                 |
| 4. | Debtor's address   | Principal place of busi | ness       |          | Mailing address, if of business            | different from p | orincipal place |
|    |  | 4225 Executiv           | e Square   |          |  |                  |                 |
|    |  | Number Street           |            |          | Number Street                              |                  |                 |
|    |  | Suite 600               |            |          |  |                  |                 |
|    |  | La Jolla                | CA         | 92037    | P.O. Box                                   |                  |                 |
|    |  | City                    | State      | ZIP Code | City                                       | State            | ZIP Code        |
|    |  | San Diego               |            |          | Location of principal principal place of b |                  | erent from      |
|    |  | County                  |            |          | Number Street                              |                  |                 |
|    |  |                         |            |          |  |                  |                 |
|    |  |                         |            |          | City                                       | State            | ZIP Code        |
| 5. | Debtor's website (URL)   | https://silvergate.     | com        |          |  |                  |                 |
| _  |  |                         |            |          |  |                  |                 |

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| Debt | tor Silvergate Liquidation Corp   | Case number (if known)  |  |  |  |  |
|------|---|---|--|--|--|--|
| 6.   | Type of debtor  | ☐ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) ☐ Partnership (excluding LLP) ☐ Other. Specify:   |  |  |  |  |
| 7.   | Describe debtor's business  | A. Check one:  Health Care Business (as defined in 11 U.S.C. § 101(27A))  Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  Railroad (as defined in 11 U.S.C. § 101(44))  Stockbroker (as defined in 11 U.S.C. § 101(53A))  Commodity Broker (as defined in 11 U.S.C. § 101(6))  Clearing Bank (as defined in 11 U.S.C. § 781(3))  None of the above   |  |  |  |  |
|      |   | B. Check all that apply:  ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)  ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)  ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))   |  |  |  |  |
|      |   | NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <a href="http://www.uscourts.gov/four-digit-national-association-naics-codes">http://www.uscourts.gov/four-digit-national-association-naics-codes</a> .      5 2 3 9   |  |  |  |  |
| 8.   | Under which chapter of the Bankruptcy Code is the debtor filing?                    | Check one:  ☐ Chapter 7 ☐ Chapter 9 ☐ Chapter 11. Check all that apply: ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725 (amount subject to adjustment on   |  |  |  |  |
|      |   | <ul> <li>4/01/25 and every 3 years after that).</li> <li>□ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).</li> <li>□ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and it chooses to proceed under Subchapter V of Chapter 11.</li> </ul> |  |  |  |  |
|      |   | <ul> <li>✓ A plan is being filed with this petition.</li> <li>✓ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).</li> </ul>  |  |  |  |  |
|      |   | The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.   |  |  |  |  |
|      |   | <ul> <li>☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.</li> <li>☐ Chapter 12</li> </ul>   |  |  |  |  |
| 9.   | Were prior bankruptcy cases filed by or against the debtor within the last 8 years? | ☑ No           ☑ Yes. District         When Case number   |  |  |  |  |
|      | If more than 2 cases, attach a separate list.                                       | MM / DD / YYYY  District When Case number   |  |  |  |  |

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| Debto  | Silvergate Liquidation Co   | Silvergate Liquidation Corporation  Name  Case number (if known)  |   |  |  |  |  |
|--|---|---|---|--|--|--|--|
|  | Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?  List all cases. If more than 1, attach a separate list. | District Di   | ee Attachment A<br>strict of Delaware<br>r, if known  | Relationship<br>When   | Affiliate Contemporaneous                        |  |  |
|  | Why is the case filed in this district?   | immediately precedestrict.  | s domicile, principal place of business, or prined in the date of this petition or for a longer per concerning debtor's affiliate, general partne | part of such 180   | 0 days than in any other                         |  |  |
| 12. Does the debtor own or have possession of any real property or personal property that needs immediate attention? |   | Why does the lit poses What is the lit include attention assets of lit include attention.  Other  | w for each property that needs immediate at the property need immediate attention? (Coor is alleged to pose a threat of imminent and the hazard?  | check all that appled identifiable have been seen weather.  In the weather in the weather in the weather is a seen weather.  In the weather is a seen weather in the weather in the weather in the weather is a seen weather in the wea | or lose value without uce, or securities-related |  |  |
|  |   | ☐ No☐ Yes. Insu   | tact name   |  |  |  |  |
|  | Statistical and adminis   | trative information   | 1   |  |  |  |  |
|  | Debtor's estimation of available funds  | n of  Check one:  ☐ Funds will be available for distribution to unsecured creditors.  ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecu |   |  |  |  |  |
|  | Estimated number of creditors   | ☐ 1-49<br>☐ 50-99<br>☐ 100-199<br>☐ 200-999   | ☑ 1,000-5,000<br>□ 5,001-10,000<br>□ 10,001-25,000  | <b>5</b> 0,0   | 01-50,000<br>01-100,000<br>e than 100,000        |  |  |

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| Debtor Silvergate Liquidation Corporation |   | Case number (# known)  |   |                  |          |  |
|---|---|--|---|------------------|----------|--|
| 15. Estima                                | ated assets                                   | \$0-\$50,000<br>\$50,001-\$100,000<br>\$100,001-\$500,000<br>\$500,001-\$1 million | □ \$1,000,001-\$10 millio □ \$10,000,001-\$50 millio □ \$50,000,001-\$100 m □ \$100,000,001-\$500 r       | ion<br>illion    |          | \$500,000,001-\$1 billion<br>\$1,000,000,001-\$10 billion<br>\$10,000,000,001-\$50 billion<br>More than \$50 billion |
| 16. Estima                                | ated liabilities                              | \$0-\$50,000<br>\$50,001-\$100,000<br>\$100,001-\$500,000<br>\$500,001-\$1 million | \$1,000,001-\$10 million \$10,000,001-\$50 million \$50,000,001-\$100 million \$100,000,001-\$500 million | lion<br>illion   |          | \$500,000,001-\$1 billion<br>\$1,000,000,001-\$10 billion<br>\$10,000,000,001-\$50 billion<br>More than \$50 billion |
|   | Request for Relief, Dec                       | laration, and Signatures   |   |                  |          |  |
| WARNING                                   |   | rious crime. Making a false stant for up to 20 years, or both.                     |   |                  |          | n result in fines up to  |
|   | ation and signature of ized representative of | The debtor requests relipetition.  | ief in accordance with the ch   | apter of title 1 | 1, Unit  | ed States Code, specified in this  |
|   |   | I have been authorized   | to file this petition on behalf   | of the debtor.   |          |  |
|   |   | I have examined the infectorrect.  | ormation in this petition and l   | have a reasor    | nable b  | elief that the information is true and   |
|   |   | I declare under penalty of pe  | erjury that the foregoing is tru  | ue and correc    | t.       |  |
|   |   | Executed on 09/17/202  |   |                  |          |  |
|   |   | /s/ Elaine Hetrick   |   | Elaine H         | Hetrick  |  |
|   |   | Signature of authorized repr   | resentative of debtor   | Printed nar      | ne       |  |
|   |   | Title Chief Administrative   | Officer   |                  |          |  |
| 18. Signat                                | ure of attorney                               | 🗶 /s/ Paul N. Heath  |   | Date             | 09/17    | 7/2024   |
|   |   | Signature of attorney for de   | ebtor   | Duto             | MM       | / DD / YYYY  |
|   |   | Paul N. Heath  |   |                  |          |  |
|   |   | Printed name   |   |                  |          |  |
|   |   | Richards, Layton & Finger Firm name  | , P.A.  |                  |          |  |
|   |   | 920 North King S   | Street  |                  |          |  |
|   |   | Number Street Wilmington   |   | DE               |          | 19801  |
|   |   | City   |   | State            |          | ZIP Code   |
|   |   | (302) 651-7700   |   | heath            | @rlf.cor | n  |
|   |   | Contact phone  |   | Email a          | address  |  |
|   |   | 3704   |   | DE               |          |  |
|   |   | Bar number   |   | State            |          |  |

# RESOLUTIONS OF THE BOARD OF DIRECTORS OF SILVERGATE LIQUIDATION CORPORATION

#### <u>September 13, 2024</u>

The members of the Board of Directors (the "Board") of Silvergate Liquidation Corporation, organized and existing under the laws of the State of California (the "Company"), approved and adopted the following actions at the meeting of the Board held on September 13, 2024:

WHEREAS, the Board has reviewed, discussed and had the opportunity to ask questions about the materials presented by management and the legal and financial advisors of the Company regarding, among other matters, the actual and potential liabilities of the Company, its liquidity, the strategic alternatives available to it and the impact of the foregoing on the Company's business;

WHEREAS, the Board has had the opportunity to consult with management and the legal and financial advisors of the Company to fully consider each of the strategic alternatives available to the Company;

WHEREAS, in the judgment of the Board, it is desirable and in the best interests of the Company, its creditors, and other interested parties that a petition be filed by the Company seeking relief under the provisions of chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the District of Delaware (the "Chapter 11 Case");

**WHEREAS**, following extensive, good-faith, arm's length negotiations, the Company will enter into the restructuring support agreement (including all exhibits attached thereto, the "RSA") by and among each Company and the Supporting Preferred Stockholders (as defined in the RSA);

**WHEREAS**, the Board has had the opportunity to consult with the management and legal and financial advisors of the Company regarding the material terms of a proposed plan of reorganization (the "Plan") pursuant to which the Company would, among other things, implement a liquidation and emerge from its Chapter 11 Case;

WHEREAS, the Board has had the opportunity to consult with the management and the legal and financial advisors of the Company regarding the material terms of a proposed Disclosure Statement (the "Disclosure Statement") accompanying the Plan and the contents and disclosures thereof;

WHEREAS, the Board has determined that it is advisable and in the best interests of such Company, its creditors, stakeholders and other interested parties that such Company, in furtherance of a liquidation of the Company and emergence from Chapter 11, file the Plan and Disclosure Statement with the Bankruptcy Court and to solicit acceptances and approvals thereof;

WHEREAS, the Board desires to approve the following resolutions.

#### NOW, THEREFORE, BE IT

#### **Chapter 11 Filing**

**RESOLVED**, that the Board has determined, after consultation with management and the legal and financial advisors of the Company, that it is desirable and in the best interests of the Company, its stakeholders, its creditors, and other parties in interest that a petition be filed by the Company seeking relief under chapter 11 of the Bankruptcy Code; and

RESOLVED, that any officer of the Company (each, an "Authorized Officer"), acting singly or jointly, be, and each hereby is, authorized and empowered, with full power of delegation, to negotiate, execute, deliver, and file in the name and on behalf of the Company, and under its seal or otherwise, all plans, petitions, schedules, statements, motions, lists, applications, pleadings, papers, affidavits, declarations, orders, and other documents in the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court"), and, in connection therewith, to take and perform any and all further acts and deeds which such Authorized Officer deems necessary, appropriate, desirable or advisable in connection with the Chapter 11 Case, including, without limitation, (a) the payment of any fees, expenses, and taxes such Authorized Officer deems necessary, appropriate, desirable or advisable, and (b) negotiating, executing, delivering, performing and filing any and all additional documents, schedules, statements, lists, papers, agreements, certificates or instruments (or any amendments or modifications thereto) in connection with, or in furtherance of, the Chapter 11 Case with a view to the successful prosecution of the Chapter 11 Case (such acts to be conclusive evidence that such Authorized Officer deemed the same to meet such standard); and

#### Restructuring Support Agreement, Chapter 11 Plan and Disclosure Statement

**RESOLVED**, that in the judgment of the Board, it is desirable and in the best interests of the Company, its creditors and the other parties in interest that the Company and the other parties thereto enter into the Restructuring Support Agreement (substantially on the terms presented to the Board) and commence solicitation of the Plan consistent with the Restructuring Support Agreement, and that the Company's performance of its obligations under the Restructuring Support Agreement be and hereby is, in all respects, authorized, approved, confirmed and ratified:

**RESOLVED**, that in the judgment of the Board it is desirable and in the best interests of the Company, its creditors and the other parties in interest to take all actions (including, without limitation, to negotiate and execute any agreements, documents, or certificates) necessary to undertake and enter into the Restructuring Support Agreement and to consummate the transactions contemplated thereby, including without limitation, the assumption of obligations, rejection of obligations, sale of the Company, sale of equity or assets, merger, liquidation, or other transactions contemplated thereby and all exhibits, schedules, attachments, and ancillary

documents or agreements related thereto (each in the form and upon the terms as the Board may approve, such approval to be conclusively established by the Board's execution and delivery or taking thereof), and that the Company's entry into and performance of its obligations in respect thereof, is, in all respects, authorized, approved, confirmed and ratified;

**RESOLVED**, that the Board adopts, ratifies, confirms and approves the form, terms and provisions of, and each of the transactions contemplated by the Plan and the Disclosure Statement, as each may be amended or modified from time to time;

**RESOLVED**, that the Company's advisors be, and each hereby are, authorized, empowered and directed, on behalf of and in the name of the Company, to prepare, finalize and file, as appropriate, procedures for the solicitation and tabulation of votes to accept or reject the Plan; and

#### **Retention of Professionals**

**RESOLVED**, that each of the Authorized Officers be, and hereby is, authorized and directed to employ the law firm of Cravath, Swaine & Moore LLP ("Cravath") as general bankruptcy counsel to represent and assist the Company in carrying out its duties under the Bankruptcy Code, and to take any and all actions to advance the Company's rights and obligations, including filing any motions, objections, replies, applications, or pleadings; and in connection therewith, each of the Authorized Officers, with power of delegation, is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers, and to cause to be filed an appropriate application for authority to retain the services of Cravath.

**RESOLVED**, that each of the Authorized Officers be, and hereby is, authorized and directed to employ the law firm of Richards, Layton & Finger, P.A. as local bankruptcy counsel to represent and assist the Company in carrying out its duties under the Bankruptcy Code, and to take any and all actions to advance the Company's rights and obligations, including filing any motions, objections, replies, applications, or pleadings; and in connection therewith, each of the Authorized Officers, with power of delegation, is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers, and to cause to be filed an appropriate application for authority to retain the services of Richards, Layton & Finger, P.A.

**RESOLVED**, that each of the Authorized Officers be, and hereby is, authorized and directed to employ AlixPartners, LLP ("AlixPartners") as financial advisor to represent and assist the Company in carrying out its duties under the Bankruptcy Code, and to take any and all actions to advance the Company's rights and obligations; and in connection therewith, each of the Authorized Officers, with power of delegation, is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers, and to cause to be filed an appropriate application for authority to retain the services of AlixPartners.

**RESOLVED**, that each of the Authorized Officers be, and hereby is, authorized and directed to employ the firm of Stretto, Inc. as notice and claims agent to represent and assist the Company in carrying out its duties under the Bankruptcy Code, and to take any and all actions to advance the Company's rights and obligations; and in connection therewith, each of the

Authorized Officers, with power of delegation, is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers, and to cause to be filed appropriate applications for authority to retain the services of Stretto, Inc.

**RESOLVED**, that each of the Authorized Officers be, and hereby is, authorized and directed to employ any other professionals to assist the Company in carrying out its duties under the Bankruptcy Code; and in connection therewith, each of the Authorized Officers, with power of delegation, is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers and fees, and to cause to be filed an appropriate application for authority to retain the services of any other professionals as necessary.

**RESOLVED**, that each of the Authorized Officers be, and hereby is, with power of delegation, authorized, empowered, and directed to execute and file all petitions, schedules, motions, lists, applications, pleadings, and other papers and, in connection therewith, to employ and retain all assistance by legal counsel, accountants, financial advisors, and other professionals and to take and perform any and all further acts and deeds that each of the Authorized Officers deem necessary, proper, or desirable in connection with the Chapter 11 Case, with a view to the successful prosecution of such case (such acts to be conclusive evidence that such Authorized Officer deemed the same to meet such standard); and

#### **General**

**RESOLVED**, that in addition to the specific authorizations heretofore conferred upon the Authorized Officers of the Company, each of the Authorized Officers of the Company or their designees shall be, and each of them, acting alone, hereby is, authorized, directed and empowered, in the name of and on behalf of the Company, to take or cause to be taken any and all such further actions, to execute and deliver any and all such agreements, certificates, instruments and other documents, including, without limitation, any further resolutions authorizing or otherwise facilitating the matters described in these resolutions, and to pay all expenses, including filing fees, in each case as in such Authorized Officer's or Authorized Officers' judgment shall be necessary or desirable in order to fully carry out the intent and accomplish the purposes of the resolutions adopted herein.

**RESOLVED**, that any and all acts taken and any and all certificates, instruments, agreements or other documents executed for or on behalf of the Company by any Authorized Officer prior to the adoption of the foregoing resolutions with regard to any of the transactions, actions, certificates, instruments, agreements or other documents authorized or approved by the foregoing resolutions be, and they hereby are, ratified, confirmed, adopted and approved.

**RESOLVED**, that the Board has received sufficient notice of the actions and transactions relating to the matters contemplated by the foregoing Resolutions, as may be required by the organizational documents of the Company, or hereby waives any right to have received such notice.

#### **Attachment A**

#### Pending Bankruptcy Cases Filed by the Debtor and Affiliates of the Debtor

On the date hereof, each of the affiliated entities listed below (including the debtor in this Chapter 11 case, collectively, the "<u>Debtors</u>") filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code in the United States Bankruptcy Court for the District of Delaware. The Debtors have filed a motion requesting that the Chapter 11 cases of these entities be consolidated under the case number assigned to the case of Silvergate Capital Corporation for procedural purposes only and jointly administered pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure.

| Company                            |  |  |  |  |
|------------------------------------|--|--|--|--|
| Silvergate Capital Corporation     |  |  |  |  |
| Silvergate Liquidation Corporation |  |  |  |  |
| Spring Valley Lots, LLC            |  |  |  |  |

# IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

| In re:   | Chapter 11 |
|--|------------|
| SILVERGATE LIQUIDATION CORPORATION, <sup>1</sup> | Case No()  |
| Debtor.  |            |
|  |            |

#### CONSOLIDATED CORPORATE OWNERSHIP STATEMENT

Pursuant to Rules 1007(a)(1) and 7007.1 of the Federal Rules of Bankruptcy Procedure, Silvergate Capital Corporation, on behalf of itself and certain of its affiliates as debtors and debtors-in-possession (collectively, the "Debtors"), respectfully represents:

- 1. No corporate entities own, directly or indirectly, 10% or more of any class of the equity interests of Silvergate Capital Corporation.
- 2. 100% of the equity of Silvergate Liquidation Corporation is owned by Silvergate Capital Corporation.
- 3. 100% of the equity of Spring Valley Lots, LLC is owned by Silvergate Capital Corporation.

[Remainder of page intentionally left blank.]

<sup>&</sup>lt;sup>1</sup> The last four digits of Silvergate Liquidation Corporation's federal tax identification number are (4449). The mailing address for Silvergate Liquidation Corporation is 4225 Executive Square, Suite 600, La Jolla, CA 92037.

| Fill in this information to identify the case:              |
|---|
| Debtor name   |
| United States Bankruptcy Court for the: District of (State) |
| Case number (If known):                                     |

#### Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

|   | Name of creditor and complete mailing address, including zip code | contact debts, bank loans, professional | Indicate if<br>claim is<br>contingent,<br>unliquidated,<br>or disputed | Amount of unsecured claim  If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim. |                                   |   |                    |
|---|---|---|--|--|-----------------------------------|---|--------------------|
|   |   |   |  |  | Total claim, if partially secured | Deduction for value of collateral or setoff | Unsecured<br>claim |
| 1 |   |   |  |  |                                   |   |                    |
| 2 |   |   |  |  |                                   |   |                    |
| 3 |   |   |  |  |                                   |   |                    |
| 4 |   |   |  |  |                                   |   |                    |
| 5 |   |   |  |  |                                   |   |                    |
| 6 |   |   |  |  |                                   |   |                    |
| 7 |   |   |  |  |                                   |   |                    |
| 8 |   |   |  |  |                                   |   |                    |

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| Debtor |      | Case number (if known) |  |
|--------|------|------------------------|--|
|        | Nome |                        |  |

| Name of creditor and complete mailing address, including zip code |  | debts, bank loans, professional | Indicate if<br>claim is<br>contingent,<br>unliquidated,<br>or disputed | Amount of unse<br>If the claim is full<br>claim amount. If<br>total claim amou<br>collateral or seto | ecured claim y unsecured, fill in only unsecured claim is partially secured, fill in nt and deduction for value of ff to calculate unsecured claim. |                 |
|---|--|---------------------------------|--|--|---|-----------------|
|   |  |                                 |  | Total claim, if partially secured  | Deduction for<br>value of<br>collateral or<br>setoff  | Unsecured claim |
| 9   |  |                                 |  |  |   |                 |
| 10  |  |                                 |  |  |   |                 |
| 11  |  |                                 |  |  |   |                 |
| 12  |  |                                 |  |  |   |                 |
| 13  |  |                                 |  |  |   |                 |
| 14  |  |                                 |  |  |   |                 |
| 15  |  |                                 |  |  |   |                 |
| 16  |  |                                 |  |  |   |                 |
| 17  |  |                                 |  |  |   |                 |
| 18  |  |                                 |  |  |   |                 |
| 19  |  |                                 |  |  |   |                 |
| 20  |  |                                 |  |  |   |                 |

# IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

| In re:                              | Chapter 11 |
|-------------------------------------|------------|
| SILVERGATE LIQUIDATION CORPORATION, | Case No()  |
| Debtor.                             |            |
|                                     |            |

#### **List of Equity Security Holders**

| Debtor      | Equity Holders     | Address of Equity<br>Holders | Type of<br>Equity<br>Security | Percentage<br>Held |
|-------------|--------------------|------------------------------|-------------------------------|--------------------|
| Silvergate  | Silvergate Capital | 4225 Executive               | Common                        | 100%               |
| Liquidation | Corporation        | Square, Suite 600,           | Stock                         |                    |
| Corporation | _                  | La Jolla, CA 92037           |                               |                    |

| Fill in this information to identify the case and this filing: |                            |
|--|----------------------------|
| Debtor Name Silvergate Liquidation Corporation                 |                            |
| United States Bankruptcy Court for the:                        | District ofDelaware(State) |
| Case number (If known):  |                            |
|  |                            |

#### Official Form 202

### Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

| ına  | ve examined the information in the documents checked below and I have a reasonable belief that the information is true and correct: |  |  |  |
|------|---|--|--|--|
|      | Schedule A/B: Assets-Real and Personal Property (Official Form 206A/B)  |  |  |  |
|      | Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)  |  |  |  |
|      | Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)  |  |  |  |
|      | Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)   |  |  |  |
|      | Schedule H: Codebtors (Official Form 206H)  |  |  |  |
|      | Summary of Assets and Liabilities for Non-Individuals (Official Form 206Sum)  |  |  |  |
|      | Amended Schedule  |  |  |  |
| ☑    | Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders (Official Form 204   |  |  |  |
| ☑    | Other document that requires a declaration Corporate Ownership Statement, List of Equity Security Holders                           |  |  |  |
|      |   |  |  |  |
| I de | clare under penalty of perjury that the foregoing is true and correct.  |  |  |  |
| Exe  | cuted on  |  |  |  |
|      | MM / DD / YYYY Signature of individual signing on behalf of debtor  |  |  |  |
|      | Elaine Hetrick  |  |  |  |
|      | Printed name  |  |  |  |
|      | Chief Administrative Officer  |  |  |  |

Position or relationship to debtor